

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:11cv247-RJC

ROBERT DEMETIOUS PARKS JR.,	)	
	)	
Petitioner,	)	
v.	)	<b>ORDER</b>
	)	
ROY COOPER,	)	
	)	
Respondent.	)	

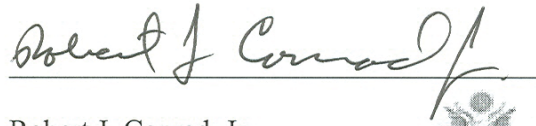
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**THIS MATTER** comes before the Court upon the Petitioner's Petition under 28 U.S.C. § 2254 For Writ of Habeas Corpus. (Doc. No. 1).

The Court has considered the Petition and determined that the Respondent should file an answer. Rules Governing § 2254 Cases, Rule 5(a), 28 U.S.C.A. foll. § 2254. Accordingly, Respondent will be directed to file an answer to the claims in this Petition. The Respondent is directed to include a discussion as to whether Petitioner's Petition is timely under the Antiterrorism and Effective Death Penalty Act and whether Petitioner has satisfied the exhaustion requirement of 28 U.S.C. § 2254(b). However, Respondent should not limit the answer to the timeliness and exhaustion analysis.

**IT IS, THEREFORE, ORDERED** that no later than forty (40) days from the filing of this Order, the Attorney General for the State of North Carolina shall file an answer to Petitioner's allegations.

Signed: November 29, 2011

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

